

MAIN OCT 28 2002

ORDINANCE NO. 2002 - 058

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS (FLUA) FOR COUNTY INITIATED AMENDMENTS: 02-57 INST 1 (SALVATION ARMY), MODIFYING PAGE 57 OF THE FLUA BY CHANGING AN APPROXIMATELY 8.43 ACRE PARCEL OF LAND, GENERALLY LOCATED ON THE WEST SIDE OF MILITARY TRAIL AND THE SOUTH SIDE OF VILMA LANE, FROM INSTITUTIONAL AND PUBLIC FACILITIES (INST) TO INSTITUTIONAL AND PUBLIC FACILITIES WITH AN UNDERLYING HIGH RESIDENTIAL, 8 UNITS PER ACRE (INST/8); 02-65 CR/UT 1 (TRUMP GOLF COURSE EXPANSION), MODIFYING PAGE 65 OF THE FLUA BY CHANGING APPROXIMATELY 62.19 ACRES OF LAND, GENERALLY LOCATED ON THE SOUTHEAST CORNER OF GUN CLUB ROAD AND KIRK ROAD, FROM INSTITUTIONAL AND PUBLIC FACILITIES (INST) TO COMMERCIAL RECREATION, WITH AN UNDERLYING TRANSPORTATION AND UTILITIES FACILITIES (CR/UT), PROVIDING FOR INCLUSION IN THE 1989 COMPREHENSIVE PLAN; PROVIDING FOR REPEAL OF LAWS IN CONFLICT; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners have initiated amendments to several elements of the Comprehensive Plan in order to promote the health, safety and welfare of the public of Palm Beach County; and

WHEREAS, the Palm Beach County Local Planning Agency conducted its public hearings on February 22, March 1, and March 8, 2002 to review the proposed amendments to the Palm Beach County Comprehensive Plan and made recommendations regarding the proposed amendments to the Palm Beach County Board of County Commissioners pursuant to Chapter 163, Part II, Florida Statutes; and

WHEREAS, the Palm Beach County Board of County Commissioners, as the governing body of Palm Beach County, conducted a public hearing pursuant to Chapter 163, Part II, Florida Statutes, on April 8, 2002 to review the recommendations of the Local Planning Agency, whereupon the Board of County Commissioners authorized transmittal of proposed amendments to the Department of Community Affairs for review and comment pursuant to Chapter 163, Part II, Florida Statutes; and

1 WHEREAS, Palm Beach County received on July 1, 2002 the
2 Department of Community Affairs "Objections, Recommendations, and
3 Comments Report," dated June 28, 2002 which was the Department's
4 written review of the proposed Comprehensive Plan amendments; and

5 WHEREAS, the written comments submitted by the Department of
6 Community Affairs contained no objections to the amendments contained
7 in this ordinance;

8 WHEREAS, on August 28, 2002 the Palm Beach County Board of County
9 Commissioners held a public hearing to review the written comments
10 submitted by the Department of Community Affairs and to consider
11 adoption of the amendments; and

12 WHEREAS, the Palm Beach County Board of County Commissioners has
13 determined that the amendments comply with all requirements of the
14 Local Government Comprehensive Planning and Land Development
15 Regulations Act.

16 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
17 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

18 Part I. Amendments to the Future Land Use Atlas of the Land Use
19 Element of the 1989 Comprehensive Plan

20 The following amendment to the Land Use Element's Future Land Use
21 Atlas is hereby adopted and is attached to this Ordinance:

22 A. Future Land Use Atlas page 57 is amended as follows:

23 Application No.: 02-57 INST 1 (Salvation Army)

24 Amendment: From Institutional and Public Facilities
25 (INST) to Institutional and Public
26 Facilities, with an underlying High
27 Residential, 8 units per acre (INST/8);

28 General Location: West side of Military Trail and the south
29 side of Vilma Lane;

30 Size: Approximately 8.43 acres;

31 B. Future Land Use Atlas page 65 is amended as follows:

32 Application No.: 02-65 CR/UT 1 (Trump Golf Course Expansion)

33 Amendment: From Institutional and Public Facilities
34 (INST) to Commercial Recreation, with an
35 underlying Transportation and Utilities
36 Facilities (CR/UT);

General Location: Southeast corner of Gun Club Road and Kirk Road;

Size: Approximately 62.19 acres;

Part II. Repeal of Laws in Conflict

All local laws and ordinances applying to the unincorporated area of Palm Beach County in conflict with any provision of this ordinance are hereby repealed to the extent of such conflict.

Part III. Severability

If any section, paragraph, sentence, clause, phrase, or word of this Ordinance is for any reason held by the Court to be unconstitutional, inoperative or void, such holding shall not affect the remainder of this Ordinance.

Part IV. Inclusion in the 1989 Comprehensive Plan

The provision of this Ordinance shall become and be made a part of the 1989 Palm Beach County Comprehensive Plan. The Sections of the Ordinance may be renumbered or relettered to accomplish such, and the word "ordinance" may be changed to "section," "article," or any other appropriate word.

Part V. Effective Date

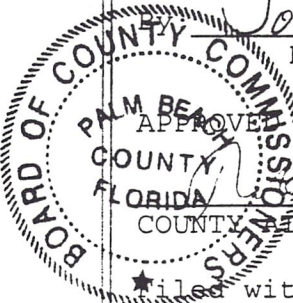
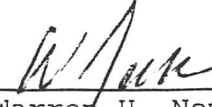
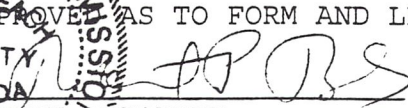
The effective date of this plan amendment shall be the date a final order is issued by the Department of Community Affairs or Administration Commission finding the amendment in compliance in accordance with Section 163.3184, Florida Statutes, whichever occurs earlier. No development orders, development permits, or land uses dependent on this amendment may be issued or commence before it has become effective. If the Administration Commission issues a final order of noncompliance, this amendment may nevertheless be made effective by adoption of a resolution affirming its effective status,

1 a copy of which resolutions shall be sent to the Department of
2 Community Affairs, Bureau of Local Planning, 2555 Shumard Oak
3 Boulevard, Tallahassee, Florida 32399-2100.

4 APPROVED AND ADOPTED by the Board of County Commissioners of
5 Palm Beach County, on the 28 day of August, 2002.

6
7 ATTEST:
8 DOROTHY H. WILKEN, Clerk

PALM BEACH COUNTY, FLORIDA,
BY ITS BOARD OF COUNTY COMMISSIONERS

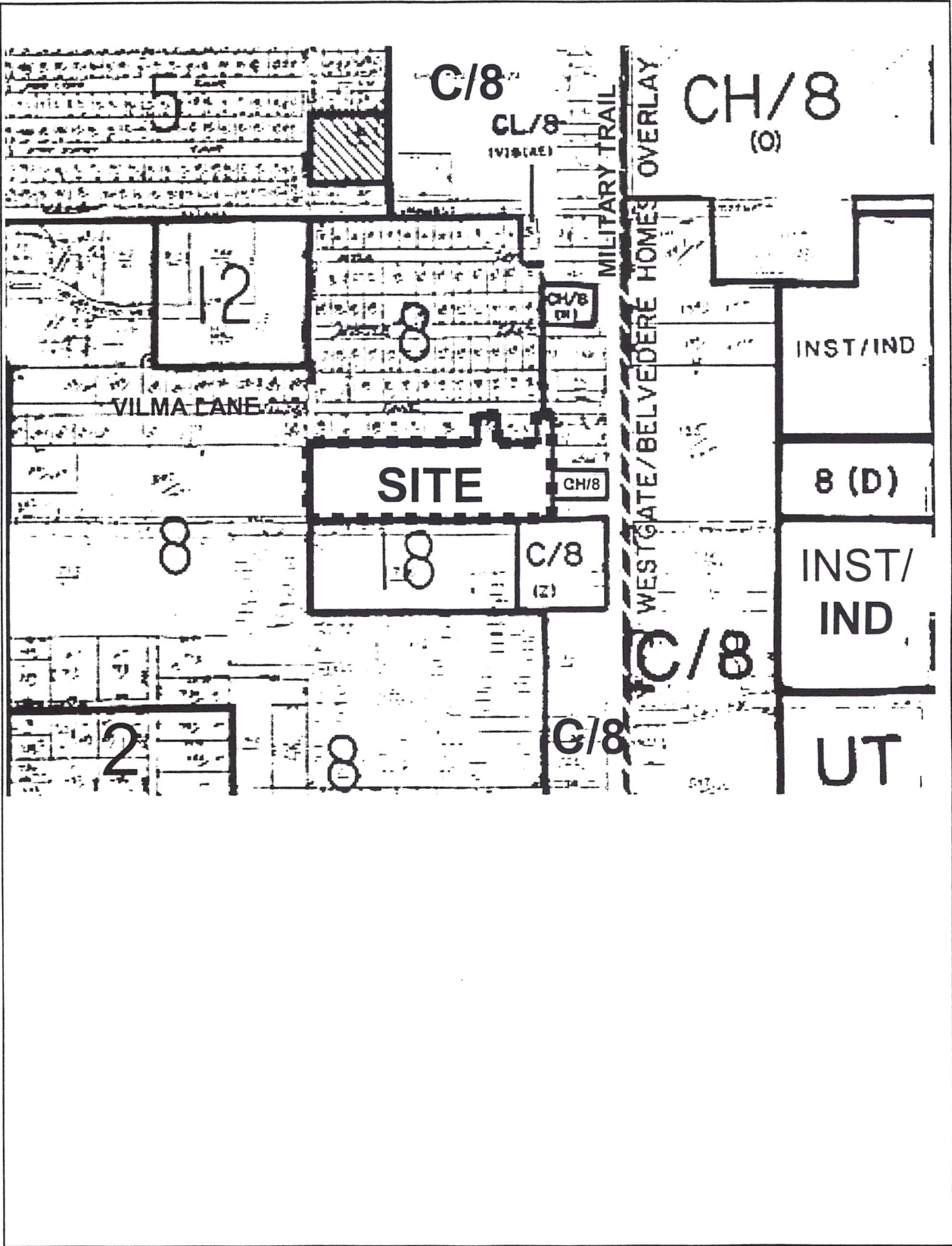
9
10
11  By 
12 Deputy Clerk Warren H. Newell, Chairman
13
14 APPROVED AS TO FORM AND LEGAL SUFFICIENCY
15 
16 COUNTY ATTORNEY
17
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19 *Filed with the Department of State on the 3 day
20
21 of September, 2002.
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24

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EXHIBIT 1

A. Future Land Use Atlas page 57 is amended as follows:

Amendment No.: 02-57 INST 1 (Salvation Army)
Amendment: From Institutional and Public Facilities (INST) to Institutional and Public Facilities, with an underlying High Residential, 8 units per acre (INST/8)
Location: West side of Military Trail and the south side of Vilma Lane
Size: Approximately 8.43 acres
Property No.: 00-42-43-25-03-000-0950



B. Future Land Use Atlas page 65 is amended as follows:

Amendment No.: 02-65 CR/UT 1 (Trump Golf Course Expansion)

Amendment: From Institutional and Public Facilities (INST) to Commercial Recreation, with an underlying Transportation and Utilities Facilities (CR/UT)

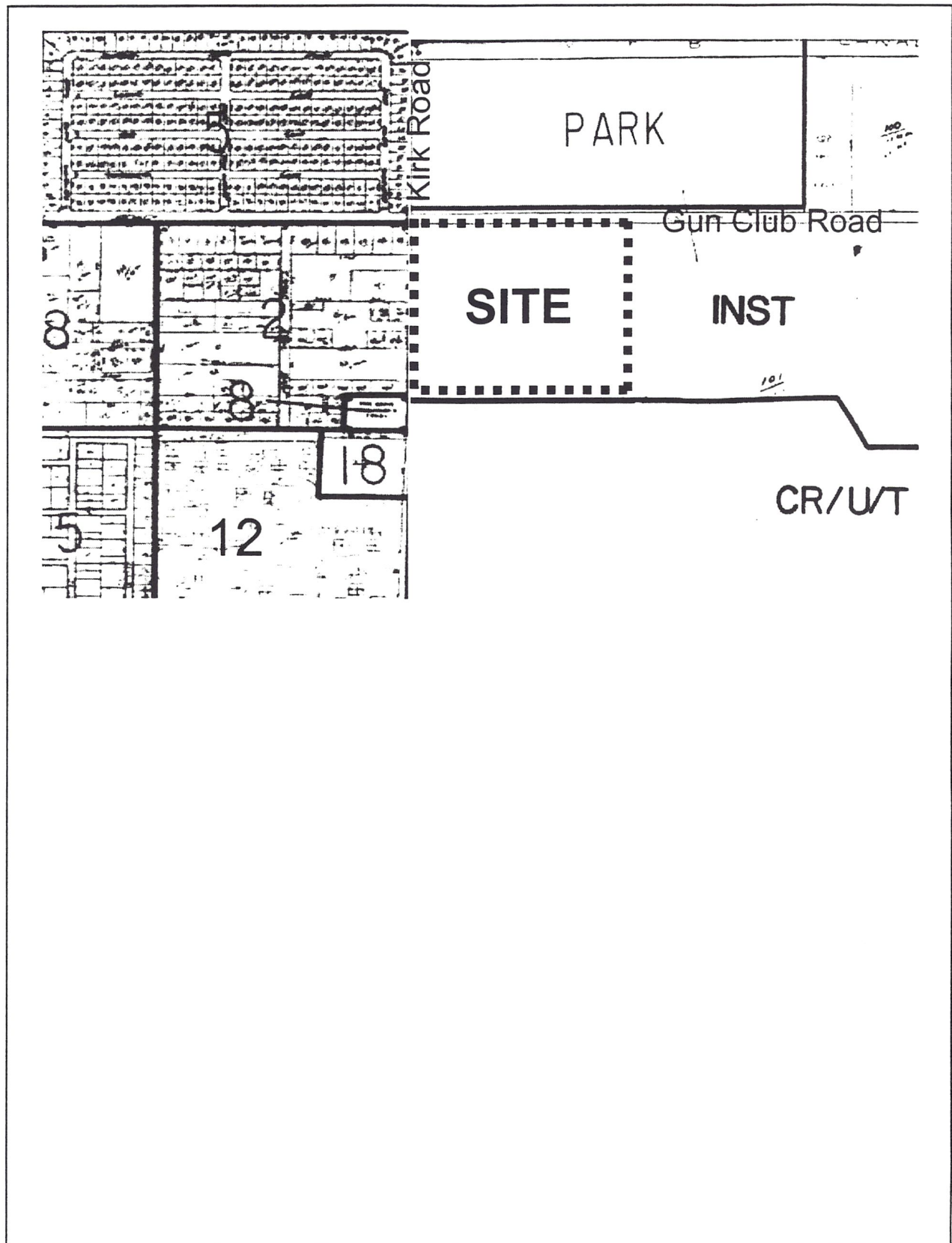
Location: Southeast corner of Gun Club Road and Kirk Road

Size: Approximately 62.19 acres

Property No.: 00-43-44-06-00-000-1010 (portion of a 302.89 acre parcel)

Legal See attached

Description:



Legal Description:

A parcel of land is Section 6, Township 44, South, Range 43 East, Palm Beach County, Florida, being a portion of Tracts 5 through 8, Block 2 of Palm Beach Plantations Plat 1 Model Land Company as recorded in Plat Book 10, Page 20, of the Public Records of Palm Beach County, Florida, more particularly described as follows:

Commence at the West quarter corner of said Section 6; Thence along the West line of said Section 6, NO1°31'42" E for 40.00 feet to the North right-of-way line of Lake Worth Drainage District Canal L-5, as recorded in Official Record Book 3538, Page 1616, of said Public Records; Thence along said North right-of-way line, S88°38'58"E for 80.00 feet to the East right-of-way line of Kirk Road, as recorded in Road Plat Book 3, Page 182, of said Public Records and the Point of Beginning:

Thence along said East right-of-way line, No1°31'42"E for 828.55 feet to the East right-of-way line as recorded in Official Record Book 8102, Page 1215, of said Public Records; Thence along said right-of-way line for the following two (2) courses:

- 1) Thence NO5°01'31"E for 180.34 feet:
- 2) Thence NO1°31'42"E for 201.01 feet:

Thence N47°02'24"E for 57.10 feet to the South right-of-way line of Gun Club Road, Thence along said South right-of-way line for the following two (2) courses:

- 1) Thence S87°26'56"E for 773.72 feet:
- 2) Thence S88°43'19"E for 1365.89 feet;

Thence departing said right-of-way line, S01°16'41"W for 1234.93 feet to the said North right-of-way line of Lake Worth Drainage District Canal L-5; Thence along said North right-of-way line, N88°38'58"W for 2196.61 feet to the Point of Beginning.

Containing 62.199 acres, more or less.

STATE OF FLORIDA, COUNTY OF PALM BEACH
I, DOROTHY H. WILKEN, ex-officio Clerk of the
Board of County Commissioners certify this to be a
true and correct copy of the original filed in my office
on August 28, 2002.
DATED at West Palm Beach, FL on 10/10/12.
DOROTHY H. WILKEN, Clerk
By: Diane Brown D.C.